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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/964,984	09/26/2001	Philip Sicola	R255-DB	2964
7590	03/07/2005		EXAMINER	
David A. Belasco, Esq. BEEHLER & PAVITT Suite 330 100 Corporate Pointe Culver City, CA 90230			PIAZZA CORCORAN, GLADYS JOSEFINA	
			ART UNIT	PAPER NUMBER
			1733	
DATE MAILED: 03/07/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Notice of Abandonment</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/964,984	SICOLA, PHILIP	
	Examiner Gladys JP Corcoran	Art Unit 1733	

*M*  
– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

This application is abandoned in view of:

1.  Applicant's failure to timely file a proper reply to the Office letter mailed on 13 August 2004.
  - (a)  A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b)  A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection. (A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c)  A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d)  No reply has been received.
2.  Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a)  The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b)  The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c)  The issue fee and publication fee, if applicable, has not been received.
3.  Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a)  Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b)  No corrected drawings have been received.
4.  The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5.  The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6.  The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7.  The reason(s) below:

  
Gladys JP Corcoran  
Primary Examiner  
Art Unit: 1733

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/964,984	SICOLA, PHILIP
	Examiner Gladys JP Corcoran	Art Unit 1733

**All Participants:**

**Status of Application:** \_\_\_\_\_

(1) Gladys JP Corcoran.

(3) \_\_\_\_\_.

(2) David A. Belasco.

(4) \_\_\_\_\_.

**Date of Interview:** 2 March 2005

**Time:** \_\_\_\_\_

**Type of Interview:**

Telephonic  
 Video Conference  
 Personal (Copy given to:  Applicant  Applicant's representative)

**Exhibit Shown or Demonstrated:**  Yes  No

If Yes, provide a brief description:

**Part I.**

**Rejection(s) discussed:**

*None*

**Claims discussed:**

*None*

**Prior art documents discussed:**

*None*

**Part II.**

**SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:**

*Examiner telephoned Applicant to verify that no response to the prior Office Action, filed August 13, 2004, was mailed. Applicant confirmed that no response was filed.*

**Part III.**

It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
 It is not necessary for applicant to provide a separate record of the substance of the interview, ~~since the interview did not result in resolution of all issues~~. A brief summary by the examiner appears in Part II above.



(Examiner/SPE Signature)

(Applicant/Applicant's Representative Signature – if appropriate)

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